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OCA 88-3375  
7 October 1988

Ms. Andrea Nelson, Counsel  
Subcommittee on Civil Service  
122 Cannon House Office Building  
Washington, DC 20515-6244

Dear Mr. Nelson:

This letter responds to your request for information regarding Agency implementation of former spouse legislation. I am providing statistics on the applicant processing for former spouse benefits under the Central Intelligence Agency Retirement and Disability System (CIARDS) Spouse Equity Act of 1982 (P.L. 97-269), the Intelligence Authorization Act for Fiscal Year 1987 (P.L. 99-569) and 1988 (P.L. 100-178). Also enclosed are copies of the advertisement that was published in the legal notices section of The Washington Post regarding P.L. 100-178 and copies of our proposed reminder letter/notice on the application deadline for P.L. 99-569 and P.L. 100-178 that will be sent to all annuitants and former spouses. A similar notice will be distributed to all Agency employees. We are considering publishing this notice in such publications as: USA Today, Wall Street Journal, Central Intelligence Retiree Association (CIRA), The New York Times, the Federal Page of The Washington Post, National Association of Retired Federal Employees (NARFE), The Legal Times, and any other legal publication(s) deemed appropriate.

Status of Applicant Processing for Former Spouses of Agency Retirees:

The CIARDS Spouse Equity Act of 1982 (P.L. 97-269) - As a result of the notification informing current employees, annuitants, spouses and former spouses of the enactment and provisions of P.L. 97-269, there were approximately  applications received from October 1982 through November 1985. (Exact statistics from 1985 to present are not

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available.) To date, there are [ ] former spouses eligible to receive either a share of the monthly annuity and/or a monthly benefit if they survive the retiree to whom they were formerly married. Currently there are [ ] former spouses in a payment status. This is an ongoing program and applications continue to be submitted on an average of four per month. As required by law, annual notices are sent to annuitants reminding them of this legislation.

The Intelligence Authorization Act for Fiscal Year 1987 (P.L. 99-569) - There have been [ ] inquiries (includes written and telephonic) to this legislation from December 1986 through January 1988. We have received [ ] applications (last application was received in January 1988) and determined that [ ] are qualified to receive survivor/health insurance benefits and [ ] did not meet the 10 year/5 year eligibility criteria. Currently there are [ ] former spouses in a payment status. As of 14 March 1988, there were [ ] former spouses enrolled in the Federal Employees Health Benefits Program.

The Intelligence Authorization Act for Fiscal Year 1988 (P.L. 100-178) - To date we have received [ ] former spouse applications, [ ] cases have been processed and completed. We have determined that [ ] former spouses were qualified and are receiving the lifetime annuity and nine did not meet the 10 year/5 year eligibility criteria. There are currently [ ] cases outstanding which are in different stages of processing.

We have certified that the following number of prospective cases for current employees who have qualified former spouses who will be entitled to benefits upon the retirement of the employee:

P.L. 97-269 (CIA Spouse Equity Act )  
P.L. 97-569  
P.L. 100-178

This information is provided for background use only and I would appreciate it if you limit dissemination to other parties. A copy of this letter is being provided to Mr. Bernard Raimo of the House Permanent Select Committee on Intelligence. If you need any additional information, please do not hesitate to contact me.

Office of Congressional Affairs

Enclosure

SUBJECT: Letter to Andrea Nelson re information regarding Agency  
implementation of former spouse legislation

Distribution:

Orig - Addressee

1 - Bernard Raimo /HPSCI

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OCA/Senate  ds (7 Oct 88)

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SUNDAY, APRIL 3, 1988

## The Washington Post

## 120 Official Notices

**NEW LIFETIME ANNUITY BENEFIT ENTITLEMENT FOR FORMER SPOUSES DIVORCED PRIOR TO 15 NOVEMBER 1982 UNDER THE CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM.**

**QUALIFIED FORMER SPOUSES SHOULD RESPOND TO THE ADDRESS LISTED BELOW.**

On 20 December 1987, President Reagan signed the Intelligence Authorization Act for Fiscal Year 1988 (P.L. 100-178), effective 2 December 1987. In accordance with this legislation, certain former spouses who were divorced from Central Intelligence Agency employees, former employees, and retirees prior to 15 November 1982 may be entitled to a lifetime annuity equal to a percentage of 50 percent of the participant's annuity.

This lifetime annuity will be financed solely by a special appropriation to the Central Intelligence Agency Retirement and Disability System fund, and in no way affect the participant's retirement annuity for any entitlements in favor of any other individual (a current spouse, for instance) based upon the participant's annuity.

A letter of application must be submitted by 8 June 1990. For further information about applying for the lifetime annuity benefit under provisions of the Intelligence Authorization Act for Fiscal Year 1988, please write to the following address:

Central Intelligence Agency  
Chief, Retirement Division  
Post Office Box 1925  
Washington, D.C. 20013

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This lifetime annuity will be financed solely by a special appropriation to the Central Intelligence Agency Retirement and Disability System fund, and in no way affect the participant's retirement annuity for any entitlements in favor of any other individual (a current spouse, for instance) based upon the participant's annuity.

A letter of application must be submitted by 8 June 1990. For further information about applying for the lifetime annuity benefit under provisions of the Intelligence Authorization Act for Fiscal Year 1988, please write to the following address:

Central Intelligence Agency  
Chief, Retirement Division  
Post Office Box 1925  
Washington, D.C. 20013

## The Washington Post

MONDAY, APRIL 4, 1988

## 120 Official Notices

FORMER SPOUSE DEADLINE NOTICE  
SURVIVOR AND HEALTH INSURANCE BENEFIT ENTITLEMENTS  
FOR FORMER SPOUSES  
DIVORCED PRIOR TO 15 NOVEMBER 1982  
UNDER THE CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM  
QUALIFIED FORMER SPOUSES SHOULD RESPOND BY 1 APRIL 1989  
TO THE ADDRESS LISTED BELOW

In accordance with the Intelligence Authorization Act for Fiscal Year 1987 (P.L. 99-569), effective 1 October 1986, certain former spouses, who were divorced from Central Intelligence employees, former employees, and retirees prior to 15 November 1982 may be entitled to a survivor benefit equal to a percentage of 55 percent of the participant's annuity and permits such former spouses divorced prior to 7 May 1985 to enroll in the Federal Employees Health Benefit Program (FEHBP) in certain circumstances. Eligibility is based on at least 10 years of marriage to a Central Intelligence Agency Retirement and Disability System (CIARDS) participant and at least 5 years spent overseas.

The survivor annuity is financed solely by a special appropriation to the CIARDS fund, and in no way affects the participant's retirement annuity nor any entitlements in favor of any other individual (a current spouse, for instance) based upon the participant's annuity.

The deadline for applying for these benefits is 1 April 1989. For further information, please write to the following address:

Central Intelligence Agency  
Chief, Retirement Division  
Post Office Box 1925  
Washington, D.C. 20013

FORMER SPOUSE DEADLINE NOTICE  
LIFETIME ANNUITY BENEFIT ENTITLEMENT  
FOR FORMER SPOUSES  
DIVORCED PRIOR TO 15 NOVEMBER 1982  
UNDER THE CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM  
QUALIFIED FORMER SPOUSES SHOULD RESPOND BY 2 JUNE 1990  
TO THE ADDRESS LISTED BELOW

In accordance with the Intelligence Authorization Act for Fiscal Year 1988 (P.L. 100-178), effective 2 December 1987, certain former spouses who were divorced from Central Intelligence Agency employees, former employees, and retirees prior to 15 November 1982 may be entitled to a lifetime annuity equal to a percentage of 50 percent of the participant's annuity. Eligibility is based on at least 10 years of marriage to a Central Intelligence Agency Retirement and Disability System (CIARDS) participant and at least 5 years spent overseas.

This lifetime annuity is financed solely by a special appropriation to the CIARDS fund, and in no way affects the participant's retirement annuity nor any entitlements in favor of any other individual (a current spouse, for instance) based upon the participant's annuity.

The deadline for applying for the lifetime annuity is 2 June 1990.  
For further information, please write to the following address:

Central Intelligence Agency  
Chief, Retirement Division  
Post Office Box 1925  
Washington, D.C. 20013